

Purchase Agreement Amendment

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CAPITOL HILL
PROVIDENCE RI 02908

V E N D O R	TEMPTROL INC 41 WEBB ST CRANSTON, RI 02920 United States	Amendment Date: 31-AUG-06 Original Award Date: 24-OCT-05 Buyer: J Ohara 2nd Phone #: 401-222-2142 FOB: Destination Terms: NET 30	Change Order Number 5 Award Number 68M00338134 Vendor Number 3643 Effective Period 01-OCT-05 - 31-DEC-06
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S H I P T O	409 MASTER PRICE AGREEMENT SEE BELOW RELEASE AGAINST, RI MPA United States		I N V O I C E	409 MASTER PRICE AGREEMENT SEE BELOW RELEASE AGAINST, RI MPA United States
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Department			Bid Number		C/O Req#
MILITIA OF THE STATE					
Line #	Item	Class-Item	Quantity	Unit	Unit Price
		8/31/06 Change to PO #68M00338134 Dated 10/24/05 Change Effective Period: From: 10/1/05 - 9/30/06 To: 10/1/05 - 12/31/06 WITH OPTION TO EXTEND FOR NINE (9) ADDITIONAL MONTHS			
				Total	

This Notice of Award/Purchase Order is issued in accordance with the specific requirements described herein and the State's Purchasing Regulations and General Conditions of Purchase, copies of which are available at www.purchasing.state.ri.gov.

Delivery of goods or services as described herein shall be deemed acceptance of these requirements.



Notice of Price Agreement Award

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Printed: 10/25/2005

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CAPITOL HILL
PROVIDENCE RI 02908

V E N D O R	TEMPROL INC 50 BLUNDELL ST PROVIDENCE RI 02905	HVAC EQUIP: SVCS & REPAIRS	
		Award Number 68M00338134	Effective Period: 10/1/05 - 9/30/06

S H I P T O	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA	Date: 10/24/2005 Buyer: JOHN O'HARA Shipping: F.O.B., Destination Terms: Net 30	I N V O I C E	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA

Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-136	B05492
Item		Unit	Unit Price
	10/1/05 - 9/30/06 MASTER PRICE AGREEMENT #136 HVAC EQUIPMENT: SERVICES AND REPAIRS THIS IS A NOTICE OF AWARD, NOT AN ORDER. Any quantity reference in the agreement or in the bid preceding it are estimates only and do not represent a commitment on the part of the state to any level of billing activity, other than for quantities or volumes specifically released during the term. No action is to be taken except as specifically authorized, as described herein under AUTHORIZATION AND RELEASE. ENTIRE AGREEMENT - This NOTICE OF AWARD, with all attachments, and any release(s) against it shall be subject to: (1) the specifications, terms and conditions set forth in the Request/Bid Number cited herein, (2) the General Terms and Conditions of Contracts for the State of Rhode Island and (3) all provisions of, and the Rules and Regulations promulgated pursuant to, Title 37, Chapter 2 of the General Laws of the State of Rhode Island. This NOTICE shall constitute the entire agreement between the State of Rhode Island and the Vendor. No assignment of rights or responsibility will be permitted except with the express written permission of the State Purchasing Agent or his designee. CANCELLATION, TERMINATION and EXTENSION - This Price Agreement shall automatically terminate as of the date(s) described under CONTRACT PERIOD unless this Price Agreement is altered by formal amendment by the State Purchasing Agent or his designee upon mutual agreement between the State and the Vendor. STATEWIDE APPLICABILITY - Political Subdivisions (cities, towns, schools, quasi-public agencies), as authorized by law, may participate in this Agreement. All ordering and billing shall be between the vendor and the political subdivision (only).		

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STATE PURCHASING AGENT/DESIGNEE



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		Award Number 68M00338134	Effective Period: 10/1/05 - 9/30/06

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-136	B05492
Item		Unit	Unit Price
	<p>REPORTS - The Vendor agrees to provide the State with quarterly reports describing activity against this Price Agreement. If this is a Master Price Agreement, such reports shall include usage by municipalities, quasi-public agencies, schools, etc. All reports shall contain the following data: (1) Billing volume in dollars and (2) quantity ordered for each line item in the price agreement. When there are no line items in the price agreement, vendor shall report volume by catalog order numbers, with a brief description of each order number.</p> <p>AUTHORIZATION AND RELEASE. In no event shall the Vendor deliver goods or provide service until such time as a duly authorized release document is certified by the ordering Agency.</p> <p>A Direct Purchase Order (DPO) shall be created by the agency listing the items ordered, using the pricing and format set forth in the Master Blanket. All pricing shall be as described in the Master Blanket and is considered to be fixed and firm for the term of the Agreement, unless specifically noted to the contrary herein. All prices include prepaid freight. Freight, taxes, surcharges, or other additional charges will not be honored unless reflected in Master Blanket.</p> <p>VENDOR IS ADVISED THAT ALL PROVISIONS OF TITLE 37 CHAPTER 13 OF THE GENERAL LAWS OF RHODE ISLAND APPLY TO THE WORK COVERED BY THIS REQUEST, AND THAT PAYMENT OF THE GENERAL PREVAILING RATE OF PER DIEM WAGES AND THE GENERAL PREVAILING RATE FOR REGULAR, OVERTIME, AND OTHER WORKING CONDITIONS EXISTING IN THE LOCALITY FOR EACH CRAFT, MECHANIC, TEAMSTER, OR TYPE OF WORKMAN NEEDED TO EXECUTE THIS WORK IS A REQUIREMENT FOR BOTH CONTRACTORS AND SUBCONTRACTORS.</p>		

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-136	B05492
Item		Unit	Unit Price
	ANNUAL RENEWAL INSURANCE CERTIFICATES FOR WORKERS' COMPENSATION, PUBLIC LIABILITY, PROPERTY DAMAGE INSURANCE, AUTO INSURANCE, PROFESSIONAL LIABILITY INSURANCE (AKA ERRORS & OMISSIONS), BUILDER'S RISK INSURANCE, SCHOOL BUSING AUTO LIABILITY, ENVIRONMENTAL IMPAIRMENT (AKA POLLUTION CONTROL), VESSEL OPERATION (MARINE OR AIRCRAFT) PROTECTION & INDEMNITY, ETC., MUST BE SUBMITTED TO THE SPECIFIC AGENCY IDENTIFIED IN THE "BILL TO" SECTION OF THE PURCHASE ORDER. CERTIFICATES ARE ANNUALLY DUE PRIOR TO THE BEGINNING OF ANY CONTRACT PERIOD BEYOND THE INITIAL TWELVE-MONTH PERIOD OF A CONTRACT. FAILURE TO PROVIDE ANNUAL INSURANCE CERTIFICATION MAY BE GROUNDS FOR CANCELLATION. IN NO EVENT WILL ANY INDIVIDUAL WORK ORDER EXCEED \$5,000.00 WITHOUT PRIOR APPROVAL OF THE OFFICE OF PURCHASES. THIS PURCHASE ORDER IS AWARDED SUBJECT TO EQUAL OPPORTUNITY COMPLIANCE. HVAC EQUIPMENT: SERVICE AND REPAIR; LICENSED SERVICES:		
1.0	HOURLY RATE ON THE JOB AS EXPLAINED BELOW - 10/1/05 - 9/30/06	HR	55.00
2.0	OVERTIME HOURLY RATE ON THE JOB - 10/1/05 - 9/30/06	HR	82.50
3.0	HOURLY RATE FOR A HELPER ON THE JOB IF AUTHORIZED BY THE AGENCY - 10/1/05 - 9/30/06	HR	45.00
4.0	OVERTIME HOURLY RATE FOR A HELPER ON THE JOB IF AUTHORIZED BY THE AGENCY - 10/1/05 - 9/30/06	HR	67.50

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Department			Bid Number	Requisition Number
ADMINISTRATION		MPA-136	B05492	
Item		Unit	Unit Price	
	<p>DISCOUNT FROM MFG. LIST PRICE FOR PARTS: 20%</p> <p>RI HVAC MASTER LICENSE NUMBER 6141</p> <p>VENDOR IS RESPONSIBLE TO COMPLY WITH ALL LICENSING OR STATE PERMITS REQUIRED FOR THIS TYPE OF SERVICE. IN ADDITION TO THESE LICENSING REQUIREMENTS, BIDDER, BY SUBMISSION OF THIS BID, CERTIFIES THAT ANY/ALL WORK RELATED TO THIS BID, AND ANY SUBSEQUENT AWARD WHICH REQUIRES A RHODE ISLAND LICENSE(S), SHALL BE PERFORMED BY AN INDIVIDUAL(S) HOLDING A VALID RHODE ISLAND LICENSE.</p> <p>HOURLY RATE APPLIES TO HOURS WORKED ON THE JOB BETWEEN 8:00AM - 5:00PM, MONDAY - FRIDAY.</p> <p>OVERTIME HOURLY RATE APPLIES TO ALL OTHER HOURS INCLUDING SATURDAY, SUNDAY AND HOLIDAYS.</p> <p>SERVICES FOR THE STATE AGENCIES ARE ON A "24 HOUR CALL" BASIS AND AS MAY BE REQUIRED. ONLY FIXED HOURLY FLAT RATES AS INDICATED IN THIS NOTICE WILL BE ALLOWED AS QUOTED, AND WILL INCLUDE ADMINISTRATIVE AND GENERAL EXPENSES, INCLUDING PROFIT ALLOWANCE, OVERHEAD, TRAVEL, TRANSPORTATION, ADMINISTRATIVE, ETC. PAYMENT FOR SERVICES WILL BE MADE BASED UPON INVOICES SUBMITTED THAT MUST SHOW THE NUMBER OF HOURS WORKED AT THE QUOTED FLAT HOURLY RATE, PLUS COST OF MATERIALS APPROVED BY THE AGENCY. SERVICEMEN AND/OR TRADESMEN MUST CHECK WITH THE AGENCY PRIOR TO START OF WORK AND UPON COMPLETION FOR TIME VERIFICATION.</p>			

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-136	B05492
Item		Unit	Unit Price
	<p>**VERY IMPORTANT NOTICE: SERVICE CALLS</p> <p>THE AGENCY REQUESTING THE SERVICE CALL MUST EXPLAIN THE BASIC PROBLEM TO THE VENDOR. DEPENDING ON THE EXTENT AND NATURE OF THE CALL, THE VENDOR MUST SEND ONE (1) JOURNEYMAN, OR IF NECESSARY, THE VENDOR MUST ADVISE THE AGENCY AND EXPLAIN WHY A HELPER IS NEEDED.</p> <p>THE VENDOR MUST NOT SEND TWO (2) PEOPLE AS A MATTER OF ROUTINE. THE AGENCY MUST BE ADVISED AND MUST APPROVE IF MORE THAN ONE PERSON IS NECESSARY.</p> <p>WORK UNDER THIS BLANKET MASTER PRICE AGREEMENT IS LIMITED TO EMERGENCY AND INTERMITTENT CALLS, IN NO CASE TO EXCEED \$5,000.00 FOR A PARTICULAR INDIVIDUAL PROJECT. VENDOR MUST PROVIDE COST PROPOSAL TO AGENCY, IF REQUESTED, FOR PRIOR APPROVAL.</p> <p>NOTE: AGENCIES UTILIZING THIS MPA ARE REQUIRED TO UTILIZE THE LOWEST PRICE FIRM ABLE TO MEET THE REQUESTED REPAIR SCHEDULE OR URGENCY OF REPAIR, NOT WITHSTANDING THE VARIOUS HOURLY RATES. THE AGENCY(S) MAY SOLICIT ESTIMATES FOR THE WORK FROM THE (3) THREE FIRMS LISTED AND MAKE AN AWARD TO THE LOWEST ESTIMATE FOR TIMELY REPAIRS. ALL VENDOR BILLINGS MUST BE IN ACCORDANCE WITH MPA PRICING, NOT LUMP SUM.</p> <p>ALL WORK TO BE COORDINATED THROUGH APPROPRIATE AGENCY STAFF. NO JOB SHALL EXCEED THE MAXIMUM LIMIT OF \$5,000.00 WITHOUT THE EXPRESS PRIOR APPROVAL AND AUTHORIZATION BY THE DIVISION OF PURCHASES. WRITTEN ESTIMATES MAY BE REQUESTED PRIOR TO STARTING JOBS.</p> <p>CONTRACTOR SHALL BE REQUIRED TO COMPLETE AGENCY "TIME IN/TIME OUT" LOG FOR EACH PROJECT.</p> <p>CONTRACTOR SHALL NOT DEPLOY MORE THAN ONE WORKMAN ON A PROJECT WITHOUT PRIOR APPROVAL OF THE AGENCY.</p>		

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ADMINISTRATION		MPA-136	B05492
Item		Unit	Unit Price
	<p>EVERY PERSON OR BUSINESS ENTITY PROVIDING GOODS OR SERVICES AT A COST OF \$5000 CUMULATED VALUE IS REQUIRED TO FILE AN AFFIDAVIT REGARDING POLITICAL CAMPAIGN CONTRIBUTIONS WITH THE RI STATE BOARD OF ELECTIONS EVEN IF NO REPORTABLE CAMPAIGN CONTRIBUTIONS HAVE BEEN MADE. (RI GENERAL LAW 17-27) FORMS OBTAINED AT BOARD OF ELECTIONS, CAMPAIGN FINANCE DIVISION, 50 BRANCH AVENUE, PROVIDENCE, RI 02904 (401-222-2056).</p> <p>DELIVERY OF GOODS OR SERVICES AS REQUESTED BY AGENCY. PAYMENTS WILL BE AUTHORIZED UPON SUBMISSION OF PROPERLY RENDERED INVOICES NO MORE THAN MONTHLY TO THE RECEIVING AGENCY. ANY UNUSED BALANCE AT END OF BLANKET PERIOD IS AUTOMATICALLY CANCELLED.</p> <p>VENDOR TELEPHONE: (401) 461-0058 VENDOR FAX: (401) 461-0388</p>		

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